UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

        Plaintiff,

                                  Case No. 1:07-cr-257-01

v.

                                  HONORABLE PAUL L. MALONEY

JUAN EUGENIO MARRERO,

        Defendant.

_____/

MEMORANDUM OPINION AND ORDER

      Defendant Juan Eugenio Marrero has filed a motion for modification or reduction of

sentence pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity

Table with respect to cocaine base (crack cocaine).

      Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant

who has been sentenced based on a sentencing range that has subsequently been lowered by the

Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 750 of the United States

Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to

cocaine base (crack cocaine), and U.S.S.G. § 2D2.1(b). These modifications were made

retroactive effective November 1, 2011. U.S.S.G. § 1B1.10(c).

      The Court has reviewed the defendant's objection to the conclusion of the United States

Probation Office that the defendant is ineligible for a reduction of sentence (ECF No. 70).

Having considered all of the defendant's arguments contained within his objection, the Court

determines that the defendant is not eligible for a sentence modification. He was sentenced as a

career offender under U.S.S.G. § 4B1.1 and the amendments are of no assistance to him. The

applicable guideline range has not been lowered as a result of the amendment to the Sentencing

Guidelines. United States v. Baxter, No. 11-15664, 2012 WL 1192173 (11th Cir., Apr. 9, 2012);

see United States v. Bridgewater, 606 F.3d 258, 260-01 (6th Cir. 2010); United States v.

Washington, 584 F.3d 693, 700-01, (6th Cir. 2009). Accordingly,

IT IS HEREBY ORDERED that Defendant Juan Eugenio Marrero's motion for

modification of sentence pursuant to 18 U.S.C. § 3582(c)(2) (ECF No. 66) is **DENIED**.

Date: October 30, 2012   /s/ Paul L. Maloney
                                             Paul L. Maloney
                                             Chief United States District Judge